

CONVICTS (WESTMEATH).

RETURN to an Order of the Honourable The House of Commons,
dated 31 July 1851:—*per*,

"COPIES of the Resolutions adopted by a Meeting of Magistrates of the County of *Westmeath*, forwarded to the Lord Lieutenant of *Ireland*, on the subject of the Remission of Sentence of certain Convicts under sentence of Transportation:—Of a Letter from the Lord Lieutenant of the County of *Westmeath*, to the Secretary for *Ireland*;—And of all Letters from the Magistrates and others to the Irish Government, on the same subject."

(True copies)

Dublin Castle, }
4 August 1851. }

T. N. REDINGTON.

Sir,

Clontarf, Drumana, 27 July 1851.

I HAVE the honour to forward to you a resolution which was entered into at a meeting convened by me pursuant to a requisition of the justices of the county of *Westmeath*, among whom are five deputy-lieutenants, on Friday the 18th instant, at Mullingar.

There are 27 magistrates signed thereto, exclusive of the high sheriff and myself; Rear Admiral Robinson however has since that day written to me to desire that his name may be withdrawn from the resolution.

It was drawn up by a committee of the body, but after it was presented to the meeting, we had the governor of the gaol called before us, to whom memorials in favour of prisoners after their sentences, it appears, are frequently referred by the Government. We found, from his information, that he has commonly seen the names of one or two isolated magistrates to compositions of this description, not prepared at any sessions or other meeting of such duly convened, but got up by other irresponsible parties, possibly the friends or partners in crime of the convicts, and which a weak man, whether in the commission of the peace or not, may, if canvassed in the presence or hearing of other parties, sometimes think it safer to subscribe than refuse it. It can hardly serve the purposes of justice that the Government should be imposed upon by such like memorials.

The meeting, I may say, was unanimous in condemnation of these underhand practices.

The reply of Sir Thomas Redington to Lord Castlemaine, in justification of the enlargement of the prisoners recently pardoned, did not say that the judges who had tried their cases had been consulted, "but that they had conducted themselves well while in prison." This naturally caused much surprise to the meeting, who were well aware that a man when in gaol under sentence, must of necessity conduct himself well, or that he would be placed in durance.

One of the cattle stealers, named Walsh, immediately after his release, was taken and identified by Mr. Burgess, for having been one of a party who stopped him on the highway, presented a pistol to his breast, and robbed him in the noon day near Athlone. I attended this man's trial myself; it is true he was acquitted, but he was positively sworn to by Mr. Burgess, a most respectable merchant of that place, and I never saw a clearer case of guilt made out on any similar trial.

I have likewise to forward to you the letter of 17 subscribers, addressed to Lord Castlemaine, who were the persons who paid a sum of 30*l.* for the purpose of prosecuting and convicting two notorious offenders, named Rooney and Brennan, recently enlarged in this manner. They ask for the return of the money, and I humbly think their request is a reasonable one. They have naturally become obnoxious to these convicted villains and their associates, and

one can hardly expect after this that any one will come forward and make himself conspicuous where the ends of justice are seen to be frustrated by the unconstitutional application of obscure persons privately applying to the Government for the exercise of the prerogative of mercy to prisoners, merely because it is said that during some period of "their sentences they have conducted themselves well in goal," or "that they had never been convicted previously;" when if inquiry had been made, or reference to the books of the petty sessions, that the reverse was the case.

I think it right also to forward Mr. Burgess's letter to Lord Castlemaine.

I have, &c.

The Right Hon.
Sir William Somerville, Bart.
&c. &c. &c.

(signed) Westmeath, Lieutenant.

At a Meeting of the Magistrates assembled at Mullingar, pursuant to a Requisition addressed to the Lieutenant of the County, to take into consideration the recent Liberation of several Prisoners under sentence of Transportation :

We, the undersigned, hope that we shall not be deemed presumptuous in expressing our opinion that since the recent mitigation of criminal law, it is necessary both for the security of property and the general tranquillity of the country, that in all cases of criminal conviction, the sentence of the law as pronounced by the Judges of the land be carried out, except where there appear good reasons for taking a contrary course.

We have examined with great care and attention the cases of several prisoners of this county, who, after having been condemned to transportation, were liberated after the expiration of a comparatively small portion of the period for which such punishment was to extend, and we do not find in these cases any circumstances that appear to us to require any such extraordinary extension of the prerogative of the Crown.

In confirmation of our opinion we may state that several of the criminals who have been so discharged have been committed for crimes perpetrated since their liberation, and in some instances convicted.

Under these circumstances, we venture to express a hope that a practice which seems likely to impair the general efficiency of the law, and has in the instances alluded been followed by such unfortunate results, will not be repeated.

(signed)	<i>John Nugent, Bart.</i>	<i>Henry Murray.</i>
	<i>W. Pollard Urquhart.</i>	<i>Hercules Robinson, Rear-</i>
	<i>John Caulfield.</i>	<i>Admiral.</i>
	<i>G. N. Purdon.</i>	<i>Nicholas Evans.</i>
	<i>Edward Hodson.</i>	<i>Robert Smyth.</i>
	<i>St. George Gray.</i>	<i>J. B. Thornhill.</i>
	<i>John Lyons.</i>	<i>A. H. Griffith.</i>
	<i>Godfrey Levinge.</i>	<i>Wm. Dawson.</i>
	<i>J. Malone.</i>	<i>J. L. Cappinge.</i>
	<i>John D. Meares.</i>	<i>Francis Smith.</i>
	<i>Wm. Petherston H.</i>	<i>John De Blaquiere.</i>
	<i>Robert Smyth.</i>	<i>John Rynd.</i>
	<i>G. A. Boyd.</i>	<i>Richard Levinge, High</i>
	<i>R. Husse Kelly.</i>	<i>Sheriff.</i>
	<i>W. Henry Daniel.</i>	<i>Westmeath, Lieutenant.</i>
	<i>Richard W. Regnell.</i>	

My Lord,

Athlone, 12 July 1861.

We, the undersigned, subscribers to a fund raised for the purpose of bringing to justice certain notorious offenders of the names of Rooney and Brennan, who by means of our subscriptions were convicted of stealing cattle the property of George Allen, feel highly aggrieved that they should have been again let loose on society, and that our money given for the public good should be thus thrown away. Understanding that a meeting of the magistracy of the county is to take place at the assizes at Mullingar, for the purpose of memorializing Government on the subject, we request your Lordship will represent our case to the consideration of the Lord Lieutenant, and urge upon him the propriety of repaying us the expenses we incurred for the public good, which act of ours has been frustrated by the misplaced leniency of the Government.

We remain, &c.

(signed)	<i>Robert Smyth.</i>	<i>Edward Kilduff.</i>
	<i>Terence Sweeney.</i>	<i>Francis Kearney.</i>
	<i>John Murtagh.</i>	<i>C. Hancock.</i>
	<i>Thomas Gill.</i>	<i>James Kilduff.</i>
	<i>Michael Keenan.</i>	<i>George Fleming.</i>
	<i>William Haire.</i>	<i>James Sweeney.</i>
	<i>William Gill.</i>	<i>Robert English.</i>
	<i>William Kearney.</i>	<i>Pat. Cullen.</i>
	<i>George Allen.</i>	

Amount subscribed - - - - - £. 30.

To the Right Honourable Lord Castlemaine.

My Lord,

Athlone, 12 July 1861.

As I understand your Lordship is about attending a meeting of magistrates in Mullingar, I would feel much obliged by your bringing forward the case of my late robbery between this town and Moate.

On the 28th of last month I was attacked by an armed party, who carried away all the goods in my car, and threatened my life.

The police informed me, that some of the party were under sentence of transportation, but again liberated; one of them, whose name is Walsh, I have identified, and is gone to Mullingar to abide his trial at the next assizes.

I am, &c.

(signed) *Thomas Burgess.*

To the Right Honourable Lord Castlemaine,
Moydrum Castle.

CONVICTS (WESTMEATH).

COPIES of the Resolutions adopted by a Meeting of the Magistrates of the County of Westmeath, forwarded to the Lord Lieutenant of Ireland, on the subject of the Rescission of Sentence of certain Convicts under sentence of Transportation.

(Colonel Denner.)

Ordered, by the Board of Censors, to be Printed,
7 August 1851.

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